

IN THE SPECIFICATION:

Kindly amend the specification as follows, in accordance with 37 C.F.R. § 1.121:

Please replace paragraph [0037] as follows:

[0037] The DNA encoding a protein or peptide substantially identical to the sMMO described above include a DNA that is hybridizable with an open reading frame in the nucleotide sequence shown as ~~SEQ ID NO: 4~~SEQ ID NO: 5 or a probe that can be produced from the nucleotide sequence under stringent conditions and codes for a protein that can constitute an active sMMO. The aforementioned "stringent conditions" include conditions under which a so-called specific hybrid is formed, and a non-specific hybrid is not formed. It is difficult to clearly express this condition by using any numerical value. However, for example, the stringent conditions include conditions under which DNAs having high homology, for example, DNAs having homology of 50% or more hybridize with each other, but DNAs having homology lower than the above do not hybridize with each other. Alternatively, the stringent conditions include conditions whereby DNAs hybridize with each other at a salt concentration corresponding to typical washing conditions of Southern hybridization, i.e., approximately 1 x SSC, 0.1% SDS, preferably 0.1 x SSC, 0.1% SDS, at 60°C.